diseases or conditions, such as GVHD or autoimmunity. The examiner states that the claimed functional limitations would be inherent properties of the referenced methods to treat certain conditions and diseases with TNF receptor-specific antibodies, including the 67-antibody specificity.

Applicants do not agree with the examiner that method claim 13, as existing at the time of the final rejection, is anticipated by Wallach. Paragraphs 4 and 5 at page 7, as noted by the examiner, are not directed to utilities of the antibody but of the TBP-II itself. The only disclosure about the activity of the antibodies is at page 6, lines 36-42, and while this may make it obvious to try each of the many antibodies disclosed for the various activities, it is insufficient for an anticipation rejection as to each.

Nevertheless, without prejudice toward the continuation of prosecution of claim 16 in a continuing application, the present application has now been amended to delete claim 16 and to insert a proviso into claim 13 which excludes antibody 67. This is the same type of proviso that is in claims 1 and 2 of parent application 08/476,862, now U.S. patent 6,262,239. Accordingly, it is apparent that this type of proviso is acceptable to avoid an anticipation rejection, such as that of the present official action. In view of this proviso and the deletion of claim 16, the present

rejection has now been obviated. Reconsideration and withdrawal thereof are, therefore, respectfully urged.

It is submitted that all of the claims now present in the case clearly define over the references of record. Reconsideration and allowance are, therefore, earnestly solicited.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

Respectfully submitted,

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Version with Markings to Show Changes Made

Claim 13 has been amended as follows:

13 (~~Amended~~Twice-amended). A method of inhibiting the cytocidal effect of TNF without blocking TNF binding to the p75 TNF receptor (residues 27-210 of SEQ ID NO:2), comprising bringing to the vicinity of the p75 TNF receptor a peptide or antibody comprising the antigen binding portion of an antibody which binds to the fourth cysteine rich domain of the p75 TNF receptor, which domain consists of the sequence of amino acid residues 163 to 201 of SEQ ID NO:2, or to the region between said fourth cysteine rich domain of the p75 TNF receptor and the cell membrane, which region consists of the sequence of amino acid residues 201-257 of SEQ ID NO:2, with the proviso that said antigen binding portion is not that of a monoclonal antibody from the clone 67 (CNCM No. I-1368).

Claim 16 has been deleted.